



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Martin HORNE)
Application No.: No. 10/057,983)
Filed: January 29, 2002)
For: SYSTEM AND METHOD FOR)
ALLOCATING THE SUPPLY OF)
CRITICAL MATERIAL COMPONENTS)
AND MANUFACTURING CAPACITY)

Commissioner for Patents
BOX: MISSING PARTS
Washington, D.C. 20231

AFFIDAVIT IN SUPPORT OF PETITION UNDER 37 C.F.R. §1.47(A)

Sir:

In support of a Petition Under 37 C.F.R. 1.47(a) for the above-referenced patent application, I, David D. Nelson, declare:

- (1) I am a registered Patent Attorney, Registration No. 47,818.
- (2) I represent Manugistics, Inc., a corporation of the state of Delaware and principally located at 9715 Key West Avenue, Rockville, MD 20850, in connection with the preparation and prosecution of the present patent application.
- (3) Based on information provided to me by officials at Manugistics, Inc., I believe the last known correspondence address for the inventor of the present application, Mr. Martin Horne, is 73 Murray Street, Richmond, Ontario, Canada, K0A 2Z0.

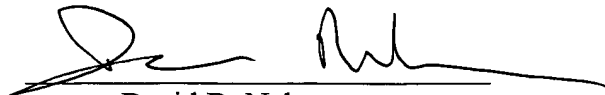
(4) I have made numerous unsuccessful attempts to obtain a telephone number for Mr. Horne through the telephone directory services and through online telephone number search engines. According to my searches, there is currently no listed telephone number for "Martin Horne" in the province of Ontario, Canada, including the city of Richmond. Therefore, in addition to receiving no response from Mr. Horne in connection with application materials forwarded to him by Manugistics, Inc., neither I nor Manugistics, Inc. have been able to reach him by telephone.

I further declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true; that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001; and that such willful false statements may jeopardize the validity of the application or document or any resulting registration resulting therefrom.

Respectfully submitted,

Dated: June 21, 2002

By:



David D. Nelson
Registration No. 47,818
Attorney for Applicant

Hogan & Hartson, L.L.P.
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PATENT

Attorney Docket No. 82001-0297

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Dear Sir:

In support of a Petition Under 37 C.F.R. 1.47(a) for the above-referenced patent application, I, Cathy Walls, declare that I am a Contracts Administrator at Manugistics, Inc., and that I am authorized to make the following statements:

(1) Manugistics, Inc. is a corporation of the state of Delaware and principally located at 9715 Key West Avenue, Rockville, MD 20850.

(2) As evidenced by the Employment Agreement and Conditions for Employment, appended hereto as Attachment 1, Mr. Martine Horne was an employee of Manugistics, Inc. During his employment period, Mr. Horne, as part of his employment duties, participated in the development of the subject matter of the above-referenced patent application.

(3) As evidenced in section 5 of the Conditions for Employment in Attachment 1, Mr. Horne is legally obligated to disclose and assign to Manugistics, Inc., all

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designs, improvements, inventions, and discoveries created in the course of his employment. Section 5 further requires Mr. Horne to cooperate during and after his employment with any efforts to protect these designs, improvements, inventions, and discoveries.

(4) According to Manugistics personnel records, Mr. Horne's last known correspondence address is 73 Murray Street, Richmond, Ontario, Canada, K0A 2Z0.

(5) An online search for "Martin Horne" in Ontario Canada, appended hereto as Attachment 2, could not located an address for Mr. Horne

(6) On or about the date of April 8, 2002, I mailed by FedEx Express international delivery services a copy of the specification, drawings, and claims for the above-referenced patent application and a Joint Declaration and Power of Attorney form to Mr. Horne at the last known address listed above in Paragraph 4. I included instructions for him to sign and return the Joint Declaration and Power of Attorney form as required in his Conditions for Employment. A copy of the FedEx International Waybill for this package is appended hereto as Attachment 3.

(7) I received notice via the FedEx website, copy attached hereto as Attachment 4, that the package containing the patent application and the Joint Declaration and Power of Attorney had been delivered to and accepted at the last known address listed in Paragraph 4 on or about the date of April 11, 2002.

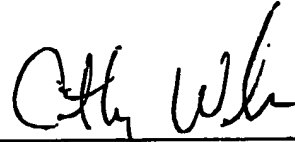
(8) On or about the date of June 18, 2002, I sent by FedEx a second letter requesting Mr. Horne to sign and return the Joint Declaration and Power of Attorney. A copy of the FedEx International Waybill for the second request letter is appended hereto as Attachment 5.

(9) I have received no response or return correspondence from Mr. Horne.

I further declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true; that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001; and that such willful false statements may jeopardize the validity of the application or document or any resulting registration resulting therefrom.

Respectfully submitted,

By:



Cathy Walls

Dated: June 20, 2002